



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MJL:BTR
F.#2005R0022
Zuccaro3.Ltr

*United States Attorney's Office
610 Federal Plaza
Central Islip, New York 11722-4454*

October 11, 2006

Delivery by ECF/Hand

Joel Winograd, Esq.
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James Fuccaro, Esq.
7 Old Shore Road
Port Washington, New York 11722-4454

Re: United States v. Peter Zuccaro, et al.,
(Angelo Ruggiero)
Criminal Docket No. 05 CR 196(SJF) (WW)

Gentlemen:

The government submits this letter to provide you with discovery pursuant to Rule 16 of the Federal Rules of Criminal Procedure. We would request reciprocal discovery.

A. Statements of Defendant.

The defendant made no admissions. The defendant did provide pedigree statements, a copy of which will be supplied, if requested. No wiretaps of the defendant were utilized. Photo pack identification proceedings were used.

You have requested access to the tape recordings , based on an indictment pending in Brooklyn of involving Mike Paradisio, a capo of the Gambino Organized Crime Family. While you have not, as requested by the Hon. Sandra J. Feuerstein, provided any case law justifying discovery relative to this uncharged activity, the government will make this evidence available to you. Tape recordings relative to extortionate activity with Mike Paradisio, a capo of the Gambino Organized Crime Family, as yet uncharged, may be obtained from Dupe Coop, 229 West 26th Street, #1C, New York, New York 10001. Ask for John Palermo at telephone number (212) 989-9341 to order copies. Paradisio's counsel, James DiPietro, has a full set and may expedite your request.

A TRUE COPY	
ATTEST	
DATED 9/26/2006	
ROBERT C. HENEMANN	
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DEPUTY CLERK	

analysis of the recordings.

As the government has previously noted these tapes reveal your clients continuing criminal association with Mike Paradisio, a capo of the Gambino Organized Crime Family.

B. Prior Criminal History.

A copy of the defendants' prior criminal records were previously provided and included in the pre-trial services report. Additional copies will be provided if necessary.

C. Documents and Tangible Objects.

None were seized by the government from the defendant.

D. Report of Examinations and Tests.

Scientific testing of the marijuana seized was undertaken. The majority of the bulk marijuana seized in this case was live plant material that could not be maintained without spoilage. The bulk of the marijuana, lighting equipment and growing apparatus seized has been photographed or video recorded. Should Counsel wish to examine any of the materials recovered in the various search warrants, an appointment to do so should be made for a time convenient to all parties as soon as possible.

E. Summary of Expert Testimony.

The government intends to offer expert testimony concerning the identification of marijuana, the marijuana trade and the function of organized crime. You will be notified in advance of trial of the substance of any additional expert testimony the government might seek to introduce at trial.

F. Brady Material.

The government is not aware of any exculpatory material or information discoverable under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny. The government is aware of its continuing duty to disclose exculpatory information. If and when such information becomes known to the government, it will be promptly disclosed.

The government asserts its right at this time to reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. Specifically, we request that you provide us with all discoverable material specified under Rule 16(b)(1)(A),

(B) and (C).

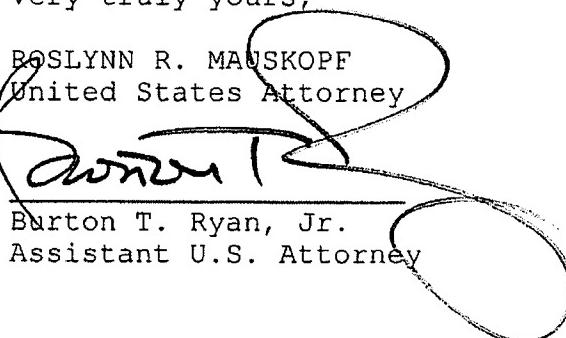
Please be advised that the government also requests the production of all statements by defense witnesses pursuant to Rule 26.2 of the Federal Rules of Criminal Procedure. In order to avoid any unnecessary delays, we request that copies of these statements be made available to the government at the commencement of trial.

All 3500 material and witnesses lists will be made available prior to commencement of the trial.

Very truly yours,

BOSLYNN R. MAUSKOPF
United States Attorney

By:


Burton T. Ryan, Jr.
Assistant U.S. Attorney

cc: Clerk of the Court (SJF) (WW)